

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

ANGEL PULLUM,

Plaintiffs,

V.

Civil Act. No: 1:18-cv-750-WC

SOUTHEAST ALABAMA
COMMUNITY ACTION
PARTNERSHIP, INC.,

Defendant.

ORDER

The parties are hereby reminded of the obligation, imposed by Rule 26(f) of the Federal Rules of Civil Procedure, to confer and to develop a proposed discovery plan and other information as required for filing the report of the parties' planning meeting. Accordingly, it is

ORDERED that the Rule 26(f) report containing the discovery plan shall be filed as soon as practicable but not later than **October 19, 2018**.

Dispositive motions shall be filed no later than 180 days prior to the pretrial hearing/conference date. If the parties seek to vary from that schedule, they should present, in the plan, specific case-related reasons for the requested variance. In their Rule 26(f) report, however, the parties should assume that the 180-day requirement will apply when the court enters the Rule 16(b) Uniform Scheduling Order (USO).

It is also the policy of this district that Rule 26(a)(3) witness list exchange (§ 9
USO), deposition designations (§ 10 USO), and exchange of trial exhibits and evidence (§

11 USO) occur no later than 42 days prior to trial, to allow appropriate time for filing and resolution of objections and motions related thereto. The parties may agree to longer deadlines, but shorter deadlines ordinarily will not be allowed.

This case ordinarily will be set for trial during one of the presiding judge's regularly scheduled civil trial terms, within 14 to 16 months of this order if a term is available and, if not available, then as soon as possible thereafter. The pretrial date is normally set within four to eight weeks of a scheduled trial term. The dates of each judge's civil trial terms are available on the court's website located at <http://www.almd.uscourts.gov>.

The court may or may not hold a scheduling conference before issuing a scheduling order. If the court holds a scheduling conference, counsel may participate in the scheduling conference by conference call unless otherwise ordered by the court.

The scheduling order entered by the court will follow the form of the Uniform Scheduling Order adopted by the judges of this court. The Uniform Scheduling Order is also available on the court's website.

Additionally, the parties were previously notified of the assignment of this case to a Magistrate Judge and their right to request reassignment. *See* Attached Explanation. As indicated in the notice of assignment, the parties must confirm their decision to consent to the Magistrate Judge in writing. Accordingly, any party wishing to consent to the Magistrate Judge's jurisdiction shall complete the appropriate attached form so that the form is received by the Clerk **on or before October 19, 2018**.

CONSENT FORMS MAY NOW BE SUBMITTED ELECTRONICALLY. If

a party elects to complete the consent form, counsel may log into the Case Management/Electronic Case File (CM/ECF) system, select the Magistrate Judge Consent Form event, and electronically prepare and submit the form. In the alternative, counsel may complete the attached consent form and mail it to the Clerk of the Court. Do NOT electronically file the consent form into the record. If you have any questions about electronic consent submission, please contact the Clerk's Office.

If a party elects to complete the form requesting reassignment to a district judge, counsel must complete the attached form and mail it to the Clerk's Office. There is no option to log into CM/ECF and electronically submit the reassignment form. If you decline consent to the jurisdiction of a Magistrate Judge, this case will be reassigned randomly to a District Judge.

Either completed form may be mailed to the following address:

Clerk, U.S. District Court
One Church Street
Room B-110
Montgomery, Alabama 36104

Done this the 28th day of September, 2018.

/s/ Wallace Capel, Jr.
CHIEF UNITED STATES MAGISTRATE JUDGE

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA

**EXPLANATION OF ASSIGNMENT TO
UNITED STATES MAGISTRATE JUDGE**

This civil case has been randomly assigned to a United States Magistrate Judge of this court. In accordance with 28 U.S.C. 636(c), the Magistrate Judges of this court are designated to conduct any and all proceedings in a jury or non-jury civil case and order the Entry of final judgment upon the consent of all parties to a case. Any appeal from a judgment entered by a Magistrate Judge is taken directly to the United States Court of Appeal for the Eleventh Circuit in the same manner as any appeal from any judgment entered in this court.

Any party to this lawsuit has the right to consent or decline consent to the jurisdiction of a Magistrate Judge. To exercise your right to consent you should complete the consent form and return it to the Clerk of the Court as indicated in the court's order. Litigants, without concern for any adverse consequences, freely may decline consent to the jurisdiction of a Magistrate Judge. If you decline consent to the jurisdiction of a Magistrate Judge, this case will be reassigned randomly to a District Judge.

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**REQUEST FOR REASSIGNMENT OF CASE
TO A UNITED STATES DISTRICT JUDGE**

The undersigned party has read the Notice of Assignment To United States Magistrate Judge and hereby declines to consent to the Magistrate Judge's exercise of civil jurisdiction in this case. The undersigned party requests reassignment of this case to a United States District Judge. **The party understands that this request may not be revoked.**

Signed this ____ day of _____, 20____.

Signature

Counsel For

Address

City, State Zip Code

(Area Code) Telephone Number

****DO NOT ELECTRONICALLY FILE THIS DOCUMENT****